

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

05-11822 RCL
PRO TEM PARTNERS, INC.,
Plaintiff

V.

SEMICO RESEARCH CORPORATION, INC.
Defendant

Civil Action No.

MAGISTRATE JUDGE MBB

NOTICE OF REMOVAL PURSUANT TO
TITLE 28 USC, §§1332 AND 1446

TO THE HONORABLE JUSTICES
OF THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF MASSACHUSETTS:

RECEIPT # 1185
AMOUNT \$ 250
SUMMONS ISSUED DIA
LOCAL RULE 4.1
WAIVER FORM
MCF ISSUED
BY DPTY. CLK. Fem
DATE 9/7/05

Petitioner, Semico Research Corp. (hereinafter "Semico") respectfully represents that this matter should be removed on the basis of Diversity Jurisdiction pursuant to Title 28 USC, §1332(a)(1) and 28 USC §1446:

1. Plaintiff Pro Tem Partners, Inc. (hereinafter "Pro Tem") commenced this action in the Superior Court Department of the Commonwealth of Massachusetts for Middlesex County, against defendant Semico by filing in that Court, a Complaint, Pro Tem's initial pleading, setting forth the claim for relief on which the action is based. Copies of the Civil Action Cover Sheet, Complaint, Tracking Order and Docket Sheet are filed herewith pursuant to Title 28 USC, §1446(b).

2. Semico was served with the summons and a copy of the complaint on August 23, 2005. (Dkt # 2). This petition is filed in this Court within 30 days after the receipt by Semico of

a copy of the initial pleading setting forth the claim for relief upon which the action is based therefore the time for filing this petition under Title 28 USC §1446(b) has not yet expired.

3. Plaintiff Pro Tem is a corporation organized under the laws of the Commonwealth of Massachusetts with its principal place of business being in Weston, Massachusetts. (Complaint ¶ 1). Defendant Semico is a corporation organized under the laws of the State of Arizona with a principal place of business in Phoenix, Arizona. (Complaint ¶ 2).

4. According to the Civil Action Cover Sheet filed by Pro Tem in Middlesex Superior Court, Pro Tem alleges it has suffered lost future profits of approximately \$885,000.

5. The requirements of federal diversity jurisdiction pursuant to Title 28 USC §1332(a)(1) are satisfied, because the parties are citizens of different States and the amount at issue exceeds the \$75,000 jurisdictional amount, exclusive of interest and costs.

6. A true and correct copy of this Notice of Removal will be filed with the Clerk of the Superior Court Department, Middlesex County, Commonwealth of Massachusetts as provided by Title 28 USC §1446(d).

WHEREFORE, the defendant Semico Research Corp. prays that it may effect the removal of this action from the Middlesex Superior Court, Commonwealth of Massachusetts, to this Court, pursuant to USC 28, §§1332(a)(1) and 1446.

By its attorneys,



Joseph F. Ryan BBO# 435720
Lyne Woodworth & Evarts LLP
600 Atlantic Avenue
Boston, MA 02210
Telephone 617/523-6655 - Telecopy 617/248-9877
E-mail: Jryan@LWELaw.com

**Commonwealth of Massachusetts
MIDDLESEX SUPERIOR COURT
Case Summary
Civil Docket**

Pro Tem Partners, Inc. v Semico Research Corporation, Inc.

Details for Docket: MICV2005-02646

Case Information

Docket Number:	MICV2005-02646	Caption:	Pro Tem Partners, Inc. v Semico Research Corporation, Inc.
Filing Date:	08/01/2005	Case Status:	Needs review for service
Status Date:	08/01/2005	Session:	Cv K (9A Cambridge)
Lead Case:	NA	Case Type:	Complex

Tracking Deadlines

TRK:	F	Discovery:	05/28/2006
Service Date:	10/30/2005	Disposition:	09/25/2006
Rule 15:	12/29/2005	Rule 12/19/20:	12/29/2005
Final PTC:	07/27/2006	Rule 56:	06/27/2006
Answer Date:	12/29/2005	Jury Trial:	YES

Case Information

Docket Number:	MICV2005-02646	Caption:	Pro Tem Partners, Inc. v Semico Research Corporation, Inc.
Filing Date:	08/01/2005	Case Status:	Needs review for service
Status Date:	08/01/2005	Session:	Cv K (9A Cambridge)
Lead Case:	NA	Case Type:	Services, labor, materials

Tracking Deadlines

TRK:	F	Discovery:	05/28/2006
Service Date:	10/30/2005	Disposition:	09/25/2006
Rule 15:	12/29/2005	Rule 12/19/20:	12/29/2005
Final PTC:	07/27/2006	Rule 56:	06/27/2006
Answer Date:	12/29/2005	Jury Trial:	YES

Parties Involved

2 Parties Involved in Docket: MICV2005-02646

Party Involved:		Role:	Defendant
Last Name:	Semico Research Corporation, Inc.	First Name:	
Address:		Address:	
City:	Phoenix	State:	AZ
Zip Code:		Zip Ext:	
Telephone:			

Party Involved:		Role:	Plaintiff
Last Name:	Pro Tem Partners, Inc.	First Name:	
Address:		Address:	
City:	Weston	State:	MA
Zip Code:		Zip Ext:	
Telephone:			

Attorneys Involved

1 Attorneys Involved for Docket: MICV2005-02646

Attorney Involved:		Firm Name:	LYNC01
Last Name:	Holland	First Name:	J Allen
Address:	101 Federal Street	Address:	22nd floor
City:	Boston	State:	MA
Zip Code:	02110	Zip Ext:	
Telephone:	617-951-0800	Tel Ext:	
Fascimile:	617-951-0811	Representing:	Pro Tem Partners, Inc., (Plaint

Calendar Events

No Calendar Events found for Docket: MICV2005-02646.

There are currently no calendar events associated with this case.

Full Docket Entries

4 Docket Entries for Docket: MICV2005-02646

Entry Date:	Paper No:	Docket Entry:
08/01/2005	1	Complaint & civil action cover sheet filed
08/01/2005		Origin 1, Type A01, Track F.
08/31/2005	2	SERVICE RETURNED: Semico Research Corporation, Inc.(Defendant)
08/31/2005	2	08-23-05 in hand 1600 E Northern Ave Suite 255 Phoenix Az

**CIVIL ACTION
COVER SHEET**

Case 1:05-cv-11822-RGL Document 1-2 Filed 09/07/2005 Page 4 of 8

05-2646

**Trial Court of Massachusetts
Superior Court Department
County: Middlesex**

PLAINTIFF(S)
Pro Tem Partners, Inc.

DEFENDANT(S)
Semico Research Corporation, Inc.

ATTORNEY, FIRM NAME, ADDRESS AND TELEPHONE
J. Allen Holland, BBO# 546892
Anne Hoffman, BBO# 236880
Lynch, Brewer, Hoffman & Fink, LLP
Board of Bar Overseers number:

ATTORNEY (if known)

101 Federal Street, 22nd Floor
Boston, MA 02110 (617) 951-0800

Origin code and track designation

Place an x in one box only:

- ☒ 1. F01 Original Complaint
☐ 2. F02 Removal to Sup.Ct. C.231,s.104
(Before trial) (F)
☐ 3. F03 Retransfer to Sup.Ct. C.231,s.102C (X)

- ☐ 4. F04 District Court Appeal c.231, s. 97 &104 (After trial) (X)
☐ 5. F05 Reactivated after rescript; relief from judgment/Order (Mass.R.Civ.P. 60) (X)
☐ 6. E10 Summary Process Appeal (X)

TYPE OF ACTION AND TRACK DESIGNATION (See reverse side)

CODE NO. TYPE OF ACTION (specify) TRACK IS THIS A JURY CASE?
A01 Contract - Services (F) (X) Yes () No

The following is a full, itemized and detailed statement of the facts on which plaintiff relies to determine money damages. For this form, disregard double or treble damage claims, indicate single damages only

TORT CLAIMS

(Attach additional sheets as necessary)

A. Documented medical expenses to date:

- | | |
|------------------------------------|----|
| 1. Total hospital expenses | \$ |
| 2. Total Doctor expenses | \$ |
| 3. Total chiropractic expenses | \$ |
| 4. Total physical therapy expenses | \$ |
| 5. Total other expenses (describe) | \$ |

Subtotal \$

B. Documented lost wages and compensation to date

C. Documented property damages to date

D. Reasonably anticipated future medical and hospital expenses

E. Reasonably anticipated lost wages

F. Other documented items of damages (describe)

G. Brief description of plaintiff's injury, including nature and extent of injury (describe)

\$

TOTAL \$

CONTRACT CLAIMS

(Attach additional sheets as necessary)

Provide a detailed description of claim(s):

The Defendant has breached the terms of its Sales Representative Agreement with the Plaintiff, including by wrongfully terminating said Agreement and committed violations of M.G.L. c. 93A. The Plaintiff has suffered lost future profits as a result of said breach of approximately \$885,000.00.

TOTAL \$ 885,000.00

PLEASE IDENTIFY, BY CASE NUMBER, NAME AND COUNTY, ANY RELATED ACTION PENDING IN THE SUPERIOR COURT DEPARTMENT

"I hereby certify that I have complied with the requirements of Rule 5 of the Supreme Judicial Court Uniform Rules of Dispute Resolution (SJC Rule 1:18) requiring that I provide my clients with information about court-connected dispute resolution services and discuss with them the advantages and disadvantages of the various methods."

Signature of Attorney of Record

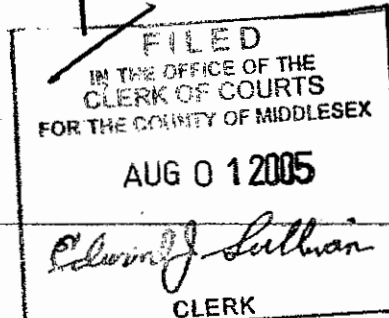
DATE: 7/29/08

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO.PRO TEM PARTNERS, INC.,
Plaintiff,

v.

SEMICO RESEARCH
CORPORATION, INC.,
Defendants.

05-2646

COMPLAINT

1. Plaintiff Pro Tem Partners, Inc. ("Pro Tem") is a corporation duly organized under the laws of Massachusetts with a principal place of business in Weston, County of Middlesex, Massachusetts.

9296E000008/01/05CIVIL 240
9296E000008/01/05SUR CHARGE 15
9296E000008/01/05SUMMONS 5
9296E000008/01/05ECC 20

2. Defendant Semico Research Corporation, Inc. ("Semico") is a corporation duly organized under the laws of Arizona with a principal place of business in Phoenix, Arizona.

BACKGROUND

3. Both Semico and Pro Tem are engaged in the business of marketing analytical and consulting services to the semiconductor industry and affiliated industries.

4. On March 17, 2004, Semico and Pro Tem entered into a Sales Representative Agreement, ("Agreement") pursuant to which Pro Tem was appointed exclusive Sales Representative of Semico as to certain listed companies, wherever located, and as to all companies within a certain geographical region extending from South Carolina northerly through Virginia, the mid-Atlantic States, New England, Ontario, Quebec and New Brunswick.

5. In or about January, 2005, Semico began, among other things, to unreasonably restrict Pro Tem's sales efforts, to engage in a harassment campaign to unreasonably burden the Agreement, and to unreasonably delay reimbursement for travel expenses.

6. Such activities constituted breaches of the Agreement.

7. By letter dated July 20, 2005, Semico purported to terminate the Agreement.

COUNT I
BREACH OF CONTRACT

8. Plaintiff repeats and incorporates by reference to the allegations set forth in paragraphs 1-7 as though the same were fully and completely set forth herein.

9. Semico breached the Agreement with Pro Tem by restricting Pro Tem's ability to carry out the Agreement as set forth above at paragraph 5, and by terminating the Agreement in violation of the terms of the Agreement.

10. Pro Tem has been damaged by Semico's breach in the loss of commissions to which Pro Tem is entitled under the Agreement.

COUNT II
M.G.L. c. 93A

11. Plaintiff repeats and incorporates by reference the allegations set forth in paragraphs 1-10 as though the same were fully and completely set forth herein.

12. The sole owner, Officer and Director of Pro Tem, Jan-Charles Fine, is a minority (30%) shareholder of Semico.

13. Since late 2004, Semico has attempted to force Mr. Fine to sell his interest in Semico, which Mr. Fine refused to sell. In addition, Semico has requested that Pro Tem voluntarily terminate the Agreement or reduce the commissions to which Pro Tem is entitled under the Agreement. Pro Tem has refused these requests.

14. Since that time Semico has engaged in a series of activities set forth above including terminating the Agreement, intended and designed to force Mr. Fine to sell his ownership interest in Semico and to force Pro Tem to waive or compromise its rights under the Agreement.

15. Such course of conduct constitutes unfair and deceptive practices in violation of M.G.L. c. 93A.

16. Semico's conduct as described above constitutes knowing and willful violations of M.G.L. c. 93A.

17. Plaintiff has been damaged by such violations in the loss of commissions to which Pro Term is entitled under the Agreement.

WHEREFORE, Plaintiff demands that Judgment enter in its behalf plus triple damages, interest, costs and attorney's fees, and such other relief as the Court deems proper.

JURY DEMAND

Plaintiff demands a Jury Trial on all issues so triable.

Respectfully submitted,

PRO TEM PARTNERS, INC.,

By their attorneys,



J. Allen Holland, BBO# 546892
Anne Hoffman, BBO# 236880
Lynch, Brewer, Hoffman & Fink, LLP
101 Federal Street, 22nd Floor
Boston, MA 02110
(617) 951-0800

197846_1

Commonwealth of Massachusetts
County of Middlesex
The Superior Court

CIVIL DOCKET# MICV2005-02646-K

RE: **Pro Tem Partners, Inc. v Semico Research Corporation, Inc.**

TO: J Allen Holland, Esquire
Lynch Brewer Hoffman & Fink LLP
101 Federal Street
22nd floor
Boston, MA 02110

TRACKING ORDER - F TRACK

You are hereby notified that this case is on the **fast (F) track** as per Superior Court Standing Order 1-88. The order requires that the various stages of litigation described below must be completed not later than the deadlines indicated.

STAGES OF LITIGATION**DEADLINE**

Service of process made and return filed with the Court	10/30/2005
Response to the complaint filed (also see MRCP 12)	12/29/2005
All motions under MRCP 12, 19, and 20 filed	12/29/2005
All motions under MRCP 15 filed	12/29/2005
All discovery requests and depositions completed	05/28/2006
All motions under MRCP 56 served and heard	06/27/2006
Final pre-trial conference held and firm trial date set	07/27/2006
Case disposed	09/25/2006

The final pre-trial deadline is **not the scheduled date of the conference**. You will be notified of that date at a later time.

Counsel for plaintiff must serve this tracking order on defendant before the deadline for filing return of service.

This case is assigned to session **K** sitting in **Rm 9A (Cambridge)** at **Middlesex Superior Court**.

Dated: 08/02/2005

Edward J. Sullivan
Clerk of the Courts
BY: Wayne Emerson
Assistant Clerk

Location: Rm 9A (Cambridge)
Telephone: 617-494-4010 EXT 4271

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

1. Title of case (name of first party on each side only) TECOGEN, INC. v. AEGIS ENERGY SERVICES, INC.
2. Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).
- ☐ I. 160, 410, 470, 535, R.23, REGARDLESS OF NATURE OF SUIT.
- ☒ II. 195, 196, 368, 400, 440, 441-446, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950. *Also complete AO 120 or AO 121 for patent, trademark or copyright cases
- ☐ III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.
- ☐ IV. 220, 422, 423, 430, 460, 480, 490, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.
- ☐ V. 150, 152, 153.
3. Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been filed in this district please indicate the title and number of the first filed case in this court.
4. Has a prior action between the same parties and based on the same claim ever been filed in this court?
- YES ☐ NO ☒
5. Does the complaint in this case question the constitutionality of an act of congress affecting the public interest? (See 28 USC §2403)
- YES ☐ NO ☒
- If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?
- YES ☐ NO ☐
6. Is this case required to be heard and determined by a district court of three judges pursuant to title 28 USC §2284?
- YES ☐ NO ☒
7. Do all of the parties in this action, excluding governmental agencies of the united states and the Commonwealth of Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same division? - (See Local Rule 40.1(d)).
- YES ☐ NO ☒
- A. If yes, in which division do all of the non-governmental parties reside?
- Eastern Division ☐ Central Division ☐ Western Division ☐
- B. If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental agencies, residing in Massachusetts reside?
- Eastern Division ☒ Central Division ☐ Western Division ☐
8. If filing a Notice of Removal - are there any motions pending in the state court requiring the attention of this Court? (If yes, submit a separate sheet identifying the motions)
- YES ☐ NO ☐

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME Julie A. FrohlichADDRESS Goulston & Storrs, 400 Atlantic Avenue, Boston, MA 02110TELEPHONE NO. 617-574-6402

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Tecogen, Inc.

(b) County of Residence of First Listed Plaintiff Middlesex

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Julie A. Frohlich, Esq., Goulston & Storrs, 400 Atlantic Avenue,
Boston, MA 02110 617-574-6402

DEFENDANTS

Aegis Energy Services, Inc., Aegenco, Inc., and Aegis Generation Company

County of Residence of First Listed Defendant Hampden

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

Deborah A. Basile, Esq., Doherty, Wallace, Pillsbury and Murphy, P.
C., One Monarch Place, Suite 1900, Springfield, MA 01144

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | |
|---|---|---|---|
| Citizen of This State | PTF <input type="checkbox"/> 1 DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | PTF <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
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V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):

17 U.S.C. § 101 et seq. and 35 U.S.C. § 101 et seq.

Brief description of cause:

Making and selling cogeneration modules that infringe plaintiffs' copyright and patent rights, and related acts

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

 DEMAND \$
 500,000.00

 CHECK YES only if demanded in complaint:
 JURY DEMAND: ☒ Yes ☐ No
VIII. RELATED CASE(S) IF ANY

(See instructions):

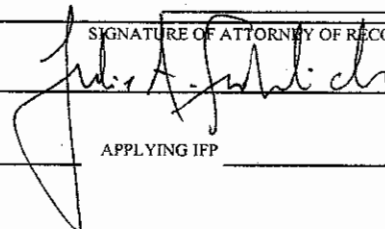
JUDGE

DOCKET NUMBER

DATE

09/07/2005

SIGNATURE OF ATTORNEY OF RECORD



FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE